

REMARKS

Claims 1-50 are pending in this application. By this amendment, Applicant has amended claims 1, 6, 12, 14, 17, 29, 38 and 43-46. Reconsideration of the above-identified application in view of the foregoing amendments and the following remarks is respectfully requested. Claims 1, 6, 12, 14, 15, 27, 38 and 43-48 are independent.

Rejections Under 35 U.S.C. § 102(e):

Claims 38-42 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Publication No. 2002/0187784A1 to Tigerstedt et al. ("Tigerstedt"). Claim 38 is independent.

One embodiment of Applicant's invention provides a method for enabling a mobile terminal to quickly identify network services, such as digital audio or video broadcasts, in a multi-bearer network. Such broadcasts may be, e.g., radio or television programs. In one embodiment, the identification of network services is accomplished by the use of pointer data in each of the channels in the system. The pointer data identifies an all-announcement channel, which includes announcements identifying each of the services transmitted on each of the channels in the system. In this manner, bandwidth is conserved by the network's not having to transmit service information on each channel. Likewise, time is saved by the user's not having to search each channel in the system for a service of interest.

In contrast, the Tigerstedt reference is merely directed to a method for effecting a coverage-based handover operation by sending system information messages on a broadcast control channel. None of the advantages of the present invention are accomplished by the system of Tigerstedt.

Claim 38, as amended, is directed to a mobile terminal having at least two receivers enabling the mobile terminal to receive service announcement information of different protocols, comprising:

means for receiving at least one of a digital audio or video broadcast service on a first channel; and

means for receiving pointer data on the first channel, wherein the pointer data identifies a second channel on which a service announcement identifying the service received on the first channel is located.

As a preliminary matter, Applicant respectfully submits that the Office Action is unclear, among other things, as to what in Tigerstedt the Office contends corresponds to the claimed “service”. In any event, control messages for use in conducting a handover, which are received via a broadcast, as in Tigerstedt, neither teach nor suggest “at least one of a digital audio or video broadcast service”, as required by amended claim 38. Applicant has amended claim 38 to clarify this feature of the present invention. Nevertheless, claim 38 is not anticipated by Tigerstedt for other reasons as well.

For example, the Office action relies on a “triggering parameter” of Tigerstedt as satisfying the “pointer data” feature of claim 38. However, a triggering parameter in Tigerstedt is merely a measured parameter, such as a mobile terminal’s transmission power, which is compared by the network against a threshold value in determining when a handover should be performed. (See, Tigerstedt, e.g., p.2, para. 0019) This clearly is not “pointer data” as required by claim 38, let alone “pointer data [that] identifies a second channel on which a service announcement identifying the service received on the first channel is located”. Furthermore, claim 38 is directed to a mobile terminal that includes means for receiving pointer data. In Tigerstedt, the triggering parameter is

not something received by a mobile terminal, as required by claim 38. Rather, as mentioned above, it is a parameter measured by the network.

Additionally, even when instructed to perform a handover, the mobile terminal in Tigerstedt, although advised of the new channel to which to tune, does not receive anything that identifies a second channel “on which a service announcement identifying the service received on the first channel is located”.

For at least the foregoing reasons, Applicant respectfully submits that claim 38 is clearly not anticipated by Tigerstedt.

Rejections Under 35 U.S.C. §103:

Claims 1, 6, 12, 14 and 43-46:

Claims 1-14 and 43-46 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Publication No. 2003/003909 A1 to Keronen et al. (“Keronen”) in view of U.S. Publication No. 2002/0009993 A1 to Dastrup et al. (“Dastrup”). Claims 1, 6, 12, 14 and 43-46 are independent.

Claim 1, as amended, is directed to a method of providing service announcement information, comprising:

transmitting at least one of a digital audio or video broadcast service on a first channel; and

transmitting pointer data on the first channel, wherein the pointer data identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located.

In Applicant’s invention, as defined by claim 1, pointer data on the first channel identifies a second channel containing a service announcement identifying the service that is being

transmitted on the first channel. As mentioned above, in a multi-channel environment, bandwidth is thus conserved by not having to transmit service information on each channel. Likewise, time is saved by not having to search each channel in the system for a service of interest.

Keronen is directed to a method for providing location-specific service provider information to a mobile terminal. In particular, a message is broadcast to mobile terminals over a cell broadcast channel of a base transceiver station. The message may include location information identifying a geographic location of the base transceiver station, information identifying service providers located within the coverage area of the base transceiver station and categories of information provided by the service providers.

Dastrup is directed to a method that utilizes user defined channel and frequency preferences to effect voice and data telecommunications aboard an aircraft.

The Office action cites p. 3, section 0025 of Keronen as disclosing the claimed feature of “transmitting a service on a first channel”. The cited passage discloses a BTS transmitting location information to a mobile terminal via a broadcast channel. Applicant has amended claim 1 to clarify that the service being transmitted is at least one of a digital audio or video broadcast service. Applicant respectfully submits that the broadcasting of location information as in Keronen neither teaches nor suggests this feature of amended claim 1.

Furthermore, the Office Action concedes that Keronen does not teach “pointer data identifies a second channel”, as required by claim 1. However, Applicant respectfully submits that claim 1 requires “wherein the pointer data identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located”, and that this feature is neither taught nor suggested by Keronen. In Keronen, neither the service provider identity information nor the categories of information (it is unclear which of these the Office Action

contends meets the claimed “pointer data”) identify a second channel on which a service announcement identifying the location information (which the Office Action appears to contend corresponds to the claimed “service”) transmitted on the broadcast control channel is located. If the rejection is to be maintained, clarification of the Office Action in this regard is respectfully requested. Nor is there any motivation whatsoever for modifying Keronen to operate in this manner. For example, it is unclear how such a modification would “permits [sic: permit] the user to selects [sic: select] the most economical data link service provider data and channel, no matter where in the world located”, as suggested in the Office Action.

Moreover, the feature of claim 1 of “wherein the pointer data identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located” is also neither taught nor suggested by Dastrup. Instead, Dastrup merely discloses a user-defined Channel Preference Table stored in the aircraft’s communication system that lists the preferred channels to be used in order of preference (e.g., SAT, VHF-1, HF) when the aircraft is flying within a particular geographic region. This clearly is not pointer data “transmitted on the first channel”, as required by claim 1, let alone pointer data that “identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located”, as further required by claim 1.

Accordingly, Applicant respectfully submits that claim 1, as amended, is allowable over Keronen in view of Dastrup. Amended claims 6, 12 and 14 contain limitations similar to those found in claim 1, and thus, are allowable for at least the same reasons. Similarly, amended claims 43-46 are program product counterparts of claims 1, 6, 12 and 14, respectively, and thus, are also allowable for at least the same reasons.

Claims 15, 27, 47 and 48:

Claim 15 is directed to a method of accessing a communication channel from a plurality of communication channels within a network with a mobile terminal capable of receiving at least one signal from at least one of the communications channels within the network, the method comprising:

identifying at least one communication channel that is transmitting signals receivable by the mobile terminal;

accessing a first communication channel that is transmitting at least one signal receivable by the mobile terminal;

receiving first signals from the first communications channel;

searching in the first signals for redirection information;

selecting and accessing a second communication channel from the plurality of communication channels based on the redirection information, if the redirection information is received within a first period of time; and

selecting and accessing a third communication channel if the redirection information is not received within the first period of time.

As a preliminary matter, Applicant notes that the Office Action rejects claim 15 over Keronen in view of Dastrup and further in view of Abecassis. However, nowhere in the actual rejection of claim 15 does the Examiner discuss Dastrup. Moreover, when discussing what Keronen allegedly teaches, the Office Action cites to both “pages and sections” as well as “columns and line numbers”. (See, OA, p. 7, ¶7) Keronen, however, is a published patent application with only pages and sections as markers. Clarification of the rejection in these instances is respectfully requested.

With respect to claim 15, the Office Action provides that the claimed feature of “selecting and accessing a second communication channel from the plurality of communication channels based on the redirection information, if the redirection information is received within a first period of time” is disclosed on page 3, sections 0024 and 0027 of Keronen. Applicants respectfully disagree. There is simply no teaching or suggestion in the cited passages of “a first period of time” and, in particular, “selecting and accessing a second communication channel from the plurality of communication channels based on the redirection information, if the redirection information is received within a first period of time”, as required by claim 15. Instead, the cited passages merely provide that a mobile terminal receives service provider identities, which are conveyed to a user of the mobile terminal for possible user selection. Indeed, no action is disclosed in the cited passages as being performed if something is received by the mobile terminal “within a first period of time”. Moreover, in Keronen, a terminal contacts a service provider if the user selects that service provider, rather than if the service provider’s identity is received within a first period of time.

For this reason alone, Applicant respectfully submits that claim 15 is allowable over Keronen, Dastrup and Abecassis.

Moreover, the Office Action relies on Abecassis for the additional claimed feature of “selecting and accessing a third communication channel if the redirection information is not received within the first period of time”. Abecassis is directed to a radio on demand device. In Abecassis, a user of the device can download multimedia, pause downloading and then resume downloading at the point where he or she left off. Applicants respectfully submit that the above-quoted feature of claim 15 is neither taught nor suggested by Abecassis. Moreover, the Office Action’s citations to various passages of Abecassis are very obscure vis-à-vis both the

Examiner's commentary and the claim language. For example, the Office Action provides "[i]f the desired selection did not receive in a predetermined time (col 17 lines 15-25, col 31 lines 1-4), The user waits for the new broadcast channel (second channel), and then he can choose the third channel for the selection." Applicant has reviewed the cited passages and concludes that, rather than the foregoing, these passages disclose a user's information preferences (e.g., a user can specify the frequency or the time of day that information such as stock quotes are delivered to the device) and the processing of information based on those preferences. Applicant respectfully submits that the other citations to Abecassis are equally obscure, and thus, if the Examiner persists in maintaining the rejection based on Abecassis, clarification is respectfully requested.

Claim 47 contains elements similar to those found in claim 15, and thus, is allowable for at least the same reasons.

Claim 27 is similar to claim 15, except that it requires first, second and third communication frequencies. Accordingly, Applicant respectfully submits that claim 27 is allowable over Keronen, Dastrup and Abecassis for at least the same reasons as set forth above in urging the allowance of claim 15. Claim 48 contains elements similar to those found in claim 27, and thus, is allowable for at least the same reasons.

Dependent Claims:

Applicant does not believe it necessary at this time to further address the rejections of the dependent claims as Applicant believes that the foregoing arguments and amendments place the independent claims in condition for allowance. Applicant, however, reserves the right to address those rejections in the future should such a response be deemed necessary and appropriate.

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

AUTHORIZATION


The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4061. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4061. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Respectfully submitted,
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